

**AGENDA**  
**CITY OF ATLANTA BOARD OF ZONING ADJUSTMENT**  
**Friday, August 6, 2004 AT 1:00 P.M.**  
**ATLANTA CITY HALL COUNCIL CHAMBER, SECOND FLOOR**

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**NEW CASES**

- V-04-156** Application of **Karen Wagner** for variances from the zoning regulations to 1) reduce the north side yard setback from the required 7 feet to 3 feet, and 2) reduce the south side yard setback from the required 7 feet to 3 feet, for a first floor room addition to a single-family, detached house. Property is located at **358 STERLING STREET, N.E.**, and fronts 40 feet on the west side of Sterling Street, beginning 240 feet from the southwest corner of Sterling Street and McClendon. Zoned R-5 (Two-Family Residential) District. Land Lot 209 of the 15<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Paul F. & Karen A. Wagner**  
**Council District 6, NPU-N**
- V-04-170** Application of **St. Stephen Overcoming Church of God** for special exceptions from the zoning regulations 1) for a church on a lot of less than one acre, and 2) to reduce on-site parking from the required 38 spaces to 27 spaces, and for variances from the zoning regulations to 3) reduce the front yard setback from the required 35 feet to 15 feet, 4) to reduce the half-depth front yard from 17 ½ feet to 8 feet for an addition to a church, and 5) to allow parking in the front and half-depth front yards. Property is located at **277 HEMPHILL SCHOOL ROAD, N.W. (a.k.a. 279 HEMPHILL SCHOOL ROAD, N.W.)**, and fronts 100 feet on the east side of Hemphill School Road, beginning at the southeast corner of Hemphill School Road and Lake Valley Road. Zoned R-4 (Single-Family Residential) District. Land Lot 243 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: St. Stephen Overcoming Church of God**  
**Council District 10, NPU-H**
- V-04-171** Application of **Duncan Spears** for a variance from the zoning regulations to reduce the front yard setback from the required 50 feet to 40 feet, for a second story addition to an existing single-family, detached house. Property is located at **3020 MORNINGTON DRIVE, N.W.**, and fronts 75 feet on the west side of Mornington Drive, beginning 954 feet from the northwest corner of Mornington Drive and Rodenhaven Drive. Zoned R-3 (Single-Family Residential) District. Land Lot 157 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Yellowhammer Ventures, LLC**  
**Council District 8, NPU-C**

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- V-04-172** Application of **Kathy Rainer** for a variance from the zoning regulations to reduce the half-depth front yard setback from there required 25 feet to 9.9 feet to allow for a room addition and porch enclosure for a single-family, detached house. Property is located at **315 PEACHTREE BATTLE AVENUE, N.W.**, and fronts 100 feet on the north side of Peachtree Battle Avenue, beginning at the northeast corner of Peachtree Battle Avenue and Dellwood Drive. Zoned R-3 (Single-Family Residential) District. Land Lot 144 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Kathy Rainer**  
**Council District 7, NPU-B**
- V-04-173** Application of **Roger E. Wilson** for a variance from the zoning regulations to reduce the front yard setback from the required 35 feet to 22 feet, to allow for an addition to a single-family, detached house. Property is located at **1587 PINEVIEW TERRACE, S.W.**, and fronts 50 on the northeast side of Pineview Terrace, beginning 250 feet from the northeast corner of Pineview Terrace and Cascade Avenue. Zoned R-4 (Single-Family Residential) District. Land Lot 151 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Roger E. Wilson**  
**Council District 4, NPU-S**
- V-04-175** Application of **Travis Pruitt & Associates, Inc.** for special exceptions from the zoning regulations to allow for expansion of an existing legally nonconforming bank. The property is located at **3300 NORTHSIDE PARKWAY, N.W.**, and fronts 198.94 feet on the southwest side of Northside Parkway, beginning at the southwest corner of Northside Parkway and Howell Mill Road, N.W. Zoned R-LC-C (Residential-Limited Commercial-Conditional). Land Lots 197 & 198 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Sun Trust Bank**  
**Council District 8, NPU-C**
- V-04-176** Application of **Travis Pruitt & Associates, Inc.** for variances from the zoning regulations to 1) reduce the front yard setback from the required 40 feet to 22 feet, 2) reduce the canopy distance from the street from the required 25 feet to 17 feet on the west side of the lot and 3) reduce the canopy distance from the street from the required 25 feet to 22 feet on the front of the lot, for a canopy addition to an existing bank. Property is located at **1221 CHATTAHOOCHEE AVENUE, N.W.**, and fronts 175 feet on the north side of Chattahoochee Avenue, beginning at the northwest corner of Chattahoochee Avenue and Ellsworth Industrial Boulevard. Zoned I-2 (Heavy Industrial) District. Land Lot 192 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Sun Trust Bank**  
**Council District 9, NPU-D**

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- V-04-177** Application of **Jayson Dukes** for a variance from the zoning regulations to reduce the half-depth front yard setback from the required 17 ½ feet to 7.9 feet, for room additions to the west side and rear of an existing house and enlargement of a garage. Existing legally, nonconforming duplex would be converted to a single-family house. Property is located at **755 E. MORNINGSIDE DRIVE, N.E.**, and fronts 70 feet on the south side of E. Morningside Drive, beginning at the southeast corner of E. Morningside Drive and Bridle Path . Zoned R-4 (Single-Family Residential) District. Land Lot 51 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Jayson Dukes**  
**Council District 6, NPU-F**
- V-04-178** Application of **Columbia Residential** for variances from the zoning regulations to 1) reduce the front yard setback from the required 40 feet to 0 feet, 2) reduce the east side yard setback from the required 20 feet to 0 feet, 3) reduce the west side yard setback from the required 20 feet to 0 feet, and a special exception to 4) reduce the on-site parking from 197 spaces to 185 spaces, for a multi-family residential development for senior citizens. Property is located at **380 MARTIN STREET, S.E.**, and fronts 115 feet on the east side of Martin Street, beginning at the southeast corner of Martin Street and Rawson Street. Zoned RG-4 and RG-5 (Residential General-Sector 4 and Residential General-Sector 5) Districts. Land Lot 53 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Ebenezer Charitable Foundation, Inc.**  
**Council District 2, NPU-V**
- V-04-179** Application of **Randy Pimsler** for a special exception from the zoning regulations to reduce the on-site parking from 543 spaces to 373 spaces, for conversion of existing warehouses to a mixed commercial, manufacturing, and institutional facility of the City of Refuge ministry. Property is located on **1290 & 1300 SIMPSON ROAD, N.W.**, and fronts 400 feet on the south side of Simpson Road, beginning 100 feet west of the southwest corner of Simpson Road and Burbank Drive. Zoned I-1 (Light Industrial) District. Land Lot 142 of the 14<sup>th</sup> District.  
**Owner: City of Refuge, Inc.**  
**Council District 3, NPU-K**
- V-04-180** Application of **Ryland W. Koets** for a variance to reduce the south side yard setback from the required 7 feet to 5.7 feet, for a second story addition to an existing porch for a single-family, detached house. Property is located at **2885 ALPINE ROAD, N.E.**, and fronts 100 feet on the east side of Alpine Road, beginning 60 feet south of the southeast corner of Alpine Road and North Hills Drive. Zoned R-4 (Single-Family Residential) District. Land Lot 60 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owners: Armstead & Ellen Whitney**  
**Council District 7, NPU-B**

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- V-04-180A** Application of **James L. Chappuis, M.D.**, for a variance from the zoning regulations to reduce the rear yard setback from the required 25 feet to 0 feet, for construction of a two-story office building. Property is located at **3161 HOWELL MILL ROAD, N.W.**, and fronts 126 feet on the east side of Howell Mill road, beginning 140 feet north of the northeast corner of Howell Mill Road and Downwood Circle. Zoned O-I-C (Office-Institutional-Conditional) District. Land Lot 182 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: James L. Chappuis, M.D.**  
**Council District 8, NPU-C**
- V-04-181** Application of **Newport Investment Group, LLC** for a variance from the zoning regulations to reduce the front yard setback from the required 40 feet to 10 feet for construction of a restaurant, and 2) a special exception to reduce the required parking from 274 spaces to 248 spaces. Property is located at **972-1022 MARIETTA STREET, N.W.**, and fronts 804.3 feet on the southwest side of Marietta Street, beginning 330 feet from the southwest corner of Marietta Street and West Marietta Street. Zoned I-1-C (Light Industrial-Conditional) District and I-1 (pending I-1 District)) District. Land Lot 112 of the 14<sup>th</sup> District, Fulton County.  
**Owner: Newport Investment Group, LLC**  
**Council District 3, NPU-E**
- V-04-183** Application of **Leon E. Jackson, Jr.** for variances from the zoning regulations to 1) reduce the west side yard setback from 7 feet to 0 feet, and 2) reduce the east side yard setback from 7 feet to 0 feet, for construction of a deck, and 3) a special exception to increase the height of a "privacy fence" from 6 feet (maximum allowed) to 10 feet. Property is located at **566 E. WESLEY ROAD, N.E.**, and fronts 110 feet on the southwest corner of E. Wesley Road and Alpine Road. Zoned R-4 (Single-Family Residential) District. Land Lot 60 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Leon E. Jackson, R**  
**Council District 7, NPU-B**

**DEFERRED CASES**

- V-04-62** Application of **Odis Miller** for special exceptions from the zoning regulations for 1) a pool in a yard adjacent to a street and 2) allow for wooden wall with brick columns, at a maximum height of 6 ½ feet above grade, in the half-depth front yard setback, and variances from the zoning regulations to 3) reduce the half-depth front yard setback from the required 17 ½ feet to 12 feet and 4) reduce the side yard setback from the required 7 feet to 1.5 feet, for pool equipment. Property is located at **67 The Prado, N.E.**, and fronts 70 feet on the northeast side of The Prado, beginning at the northeast corner of The Prado and Westminster. Zoned R-4 (Single-Family Residential) District. Land Lot 55 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Christina White**  
**Council District 6, NPU-E**

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- V-04-58** Application of **Santiago Mendez** for a variance to reduce the half-depth front yard setback from the required 17 ½ feet to 7 feet, 6 inches, to allow for an addition to a single-family, detached house. Property is located at **1282 DRUID PLACE, N.E. (a.k.a. 1282-1284 DRUID PLACE, N.E.)**, and fronts 60 feet on the north side of Druid Place, beginning at the northeast corner of Druid Place and Candler Street. Zoned R-4 (Single-Family Residential) District. Land Lot 240 of the 15<sup>th</sup> District, DeKalb County, Georgia.  
**Owner: Shawn Pursell**  
**Council District 6, NPU-N**
- V-04-122** Application of **David Tash** for a special exception from the zoning regulations to reduce the required on-site parking from 39 to 11 spaces, for a pizzeria. Property is located at **1025 HOWELL MILL ROAD, N.W.**, and fronts 70 feet on the east side of Howell Mill Road, beginning at the southeast corner of Howell Mill Road and 11<sup>th</sup> Street. Zoned I-1 (Light Industrial) District. Land Lot 150 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Don Chamers**  
**Council District 8, NPU-E**
- V-04-129** Application of **Serge Watson** for a variance from the zoning regulations to reduce the south side yard setback from the required 7 feet to 2 feet, for a second story addition to a single-family, detached house. Property is located at **867 ARGONNE AVENUE, N.E.**, and fronts 45 feet on the east side of Argonne Avenue, beginning 130 feet north of the northeast corner of Argonne Avenue and Seventh Street. Zoned R-5 (Two-Family Residential) District. Land Lot 48 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Gerald L. Davis**  
**Council District 6, NPU-E**